

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

ANTHONY D. DRAGER,
Petitioner,

VS.

RODNEY W. CHANDLER, Warden,
FCI-Fort Worth,
Respondent.

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CIVIL ACTION NO.4:12-CV-847-Y

ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND CONCLUSIONS

Before the Court is the petition for writ of habeas corpus under 28 U.S.C. § 2241 of petitioner Anthony D. Drager, along with the April 1, 2013 findings, conclusions, and recommendation of the United States magistrate judge. The magistrate judge gave the parties until April 22 to file written objections to the findings, conclusions, and recommendation. The Court has twice extended the time to file written objections, so petitioner Drager had until June 10, 2013, to file them. As of the date of this order, no written objections have been filed.

The Court has reviewed the pleadings and the record in this case, and has reviewed for clear error the findings, conclusions and recommendation. The Court concludes that, for the reasons stated by the magistrate judge, the petition for writ of habeas corpus should be dismissed, in part, for lack of jurisdiction, and in part, for lack of exhaustion.

Therefore, the findings, conclusions and recommendation of the magistrate judge are ADOPTED.

Anthony D. Drager's petition for writ of habeas corpus grounds one, two, and three--that he is entitled to have his state and federal sentences run concurrently, that his rights to a speedy trial were violated by the state's delay in prosecuting him of state charges, and the state has denied proper jail time credit--are DISMISSED for lack of jurisdiction; and ground three, alternatively, is DISMISSED for lack of exhaustion.

SIGNED June 18, 2013.


TERRY R. MEANS
UNITED STATES DISTRICT JUDGE